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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

BLAINE FLINDERS and DAVID BROWN,
on Behalf of Themselves and Others Similarly
Situating,

Plaintiffs,

v.

WORKFORCE STABILIZATION PLAN OF
PHILLIPS PETROLEUM COMPANY and
JOSEPH HIGH,

Defendants.

CLASS ACTION

**MOTION FOR PREJUDGMENT
INTEREST, ATTORNEY'S FEES
AND COSTS**

Civil No. 2:04CV 00541

Judge: Dale A. Kimball

Plaintiffs Blaine Flinders and David Brown, on behalf of themselves and others similarly situated (the "Employees") file this motion for prejudgment interest, attorney's fees and costs.

The Employees move for an award of prejudgment interest that is calculated based on a beginning date of June 1, 2003, when non-represented employees received their WFSP benefits.

The interest rate should be based on ConocoPhillips' own earnings on the funds wrongfully

withheld, i.e., its return on equity, which can be calculated from its publicly-disclosed financial reports. Finally, to provide full compensation and prevent unjust enrichment, the rate should be compounded quarterly. Calculated in this manner, prejudgment interest, as of September 30, 2007, amounts to \$8,071,544, for a total (benefits plus interest) of \$14,773,170.

The Employees seek attorney's fees pursuant to a specific provision of the WFSP Plan Document, which promises reimbursement of reasonable attorney's fees and costs to participants who incur fees in enforcing their rights under the Plan. The Employees have incurred reasonable fees of \$75,829 plus a contingent fee of 10% on the total award.

This motion is based on the pleadings, the Declarations of Scott A. Hagen, Derk G Rasmussen, and Carla James, and on the accompanying memorandum in support.

DATED this 19 day of September, 2007.

RAY QUINNEY & NEBEKER P.C.

/s/ Scott A. Hagen

Scott A. Hagen

Michael E. Blue

Liesel B. Stevens

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2007, I electronically filed the foregoing
MOTION FOR PREJUDGMENT INTEREST, ATTORNEY'S FEES AND COSTS with
the Clerk of Court using the CM/ECF system which sent notification of such filing to the
following:

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/s/ Doris Van den Akker

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